

hundreds of millions of dollars could provide no assurance that it was providing the best possible safety for government and reconstruction personnel as required by the contract and could not even show that its employees, authorized to carry weapons, were trained to use those weapons.

Halliburton tripled the cost of hand towels, hand towels at taxpayer expense, by insisting on having its own embroidered logo on each towel, and Halliburton employees dumped 50,000 pounds of nails in the desert. Why? Because they ordered the wrong size, all at taxpayer expense because it was a cost-plus contract.

Halliburton double charged tax payers for \$617,000 worth of soda and charged taxpayers for services that it never provided and tens of thousands of meals that it never served our soldiers.

That is why, Mr. Speaker, we have filed H. Res. 97 to demand accountability on how tax money is being spent in Iraq, and I yield to the gentleman from Long Island.

Mr. ISRAEL. Mr. Speaker, I would just close with one point.

I want to echo what the gentleman from Georgia has said. This soldier comes first. If you go into fight a global war on terror you better make sure the fighters have everything they need. Do not ask them to stand in line behind the corporate executives at Halliburton. Do not ask them to stand in line behind the CEO of Exxon Mobil who got a huge tax cut on top of his bonus, on top of his huge salary. Do not ask them to stand in line behind the big pharmaceutical companies that also got a windfall from the government in the Medicare part D program, despite their record-breaking profits.

The gentleman from Georgia and the gentleman from Arkansas and I believe more than anything else that our primary obligation in this place, in this House, is to support our Armed Forces and to keep this Nation safe. That takes the right priorities.

In the past, the priorities have been wrong. How do I know? Two-thirds of our National Guard units do not have the equipment they need to respond to an emergency or an act of terrorism at home because the equipment is sitting in Iraq because we did not fund the war fight properly.

It is time to put our soldiers first, not just in our rhetoric but in our budgets; and to do that, you need accountability.

Mr. SCOTT of Georgia. The final analysis of what we are saying is what the American people spoke to in November. They spoke to warning this Congress to stand up and demand accountability and be good stewards of their tax dollars, and that is the core of our Blue Dog resolution. I believe that and I hope that within the next couple of months we will have this resolution passed.

Might I ask for the benefit of our audience if I could ask Mr. Ross if we could give the number of our House

Resolution in the event that there might be some individuals who are in the C-SPAN audience who might want to give us a little helping hand here to help us get this bill passed.

Mr. ROSS. H. Res. 97, providing for Operation Iraqi Freedom cost accountability, and it is quite simple. We want this administration to be accountable for your tax money, Mr. Speaker, that is being spent in Iraq, number one.

Number two, we want a Truman-like commission to put an end to war profiteering in Iraq.

And, finally, we want this administration to stop playing games and asking for emergency supplementals to hide the true cost of the war and ask for the money the way that all other funds are appropriated by this Congress, through the normal process.

One hundred point four billion dollars was the cost for 2006. Over \$400 billion has been spent since this war began. That is \$8.4 billion a month. That is \$275 million a day, and that is nearly \$12 million an hour of your tax money, Mr. Speaker, and the tax money of every hardworking man and woman in this country; and it is time to restore commonsense, fiscal discipline and accountability to our government. That is one way, Mr. Speaker, that we believe we can honor our men and women in uniform.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Speaker would remind Members to direct their comments to the Chair.

#### WHAT IS GOOD FOR AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the minority leader.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege and the honor of being recognized to address you on the floor of the House of the United States House of Representatives, the people's House, this people's House and this new day, this new dawn that was pledged to come to this 110th Congress.

As you may or may not know, Mr. Speaker, I spend many hours here on the floor in these Special Orders and in debate on bills and in 1-minutes and in 5-minutes as we engage in this dialogue and raise the issue of what is good for America.

□ 1745

One of the very important things about determining what's good for America is to have a process for America that is conducive to the right result, and the right result in most cases, we will agree, I believe, would be the will of the people: the will of the people properly informed, the will of people properly educated, and the will of the people that have access through the first amendment rights to all the information and all the knowledge possible.

But, then, I would point out that we do not live in a democracy. As much as I have said about the reflection of the voice or the people here in the people's House, each one of us does have an obligation to listen carefully and attentively to our constituents, to the people in this country, and not just confined within our districts, but to listen to the Nation as a whole and focus on the interests of our district. But sometimes we have to put the Nation ahead of, sometimes, the will of our district.

But this is a constitutional Republic that we serve in, not a democracy. I point out that our Founding Fathers had a significant concern, and I will say even a literal fear of democracies.

On one of my earlier trips out here to Washington, DC, quite some years ago, I visited the National Archives on my first visit. As I waited in line to go around and be able to stand there and gaze upon the Declaration of Independence, upon the Constitution, upon the Bill of Rights in their original form, the original documents that our Founding Fathers placed their hands to and pledged their lives, their fortunes and their sacred honor, as I waited to view that for the first time, on display at the National Archives was a display of Greek artifacts.

The Greek artifacts that had come from 2- to 3,000 years ago in the era where the closest thing that there has been to a pure democracy from the standpoint of the Greek city-states, where of-age males would gather together, and they would debate; they would debate the issues of the day. They had a number of things they put in place for stopgap. One of the things they found out was, you will recognize the term "demagogue."

"Demagogue" is a term that we use occasionally in our vernacular, perhaps here on the floor reluctantly, but also throughout our dialogue across the country. There is not a lot of history on demagogues. It is hard to Google demagogue and to become an expert, to look under amazon.com and to come up with real books that are written on real facts that identify demagogues in the Greek era. They are almost nonexistent in this Nation's literature, at least so far as I have been able to identify.

But what the Founders knew and what young Americans growing up today and, really, all of its citizens should have an understanding of is that in that purer form of democracy in the Greek-city state, they had Greek demagogues who had such an oratorical skill that they could stand up in front of that small coliseum, so to speak, and make their pitch in such a passionate, logical and rational way that it would move the emotions of the Greeks within that city.

They would not necessarily analyze the information behind that debate. They would not necessarily analyze the data, the calculations. They maybe were not even thinking for themselves. But what they would do is, they would

listen to the demagogue that had that ability to move the masses with their dialogue. That, sometimes, in fact, often, took the Greeks off on a path that was not necessarily the best path for them, because they didn't stop, step back and think about where they were going. They were moved by the emotion.

So a demagogue would be someone, then, who had that ability and that skill. When they were identified as detrimental to the best interests of the city-state, then they had a blackball system. That blackball system, again, as I recall it, was that they would each go through, and there would be a, let us call it a black marble and a white marble, and there would be one large gourd to drop the voting marble in and then one to discard your empty in. So each voting member of a city-state got two, a black marble and a white marble.

As they went through there and as they dropped that marble in, they said, I want to keep this individual here in the city-state because I like his position, or he is good for us, or he helps out with the knowledge he has, whatever the reason might be, the same way we vote for or against Presidential candidates in a lot of ways. They would drop a white ball if they wanted to keep him, into the voting.

It would actually be a piece of pottery, a smaller-necked piece of pottery, actually. Then they would discard the black ball in another piece of pottery. So no one knew how they voted; it was a secret ballot.

But if that demagogue received three black balls dropped down in the voting piece of pottery, then that would be all that was required from the entire city to banish that demagogue from the city for 7 years. That was one of the ways they protected themselves from the emotions of a democracy.

Mr. Speaker, I bring this up because quite often, I think, in the classrooms of America, it is taught consistently and continuously that this is a democracy. We toss the term around, we are in a democracy. This is a democracy that goes on over and over and over again, and I always argue, no, this is a constitutional Republic.

Our Founding Fathers crafted a constitutional Republic for the first time in the history of the world because they were shaping a form of government that would not have the failures of a democracy in it, but had the representation of democracy in it. That is why we are a constitutional Republic. That is why we are called Representatives here in the United States Congress, because we each represent about 600,000 people.

It isn't the 600,000 people, those that are qualified and registered, those that go to vote will select each one of us, and then it is our job to be their voice here. But the first thing that we owe our constituents is not to put our finger in the wind and listen to the polls. It isn't our job necessarily to put our ear to the ground and try to stay ahead

of the moving public opinion, but it is our job to listen to that public opinion.

It is also our job to be involved in all of the dialogue here and have access to all this information that is available to us here in this capital city, the information center of the world, from my experience. We owe our constituents and all American people our best judgment as we serve in this constitutional Republic.

The voice of these Members here in Congress is essential. It is essential for the functionality of a republic, and it is essential for the functionality of this great Nation. In this system of government that we have now shaped, a tried and true system for more than 200 years, we found a way to use this process of gathering the information and the data and the input from our constituents who come through my office every day. And I sit down with them every day that we are open for business here, and it is for me to gather that kind of input and information. Then I exchange back with them the things that I know about policy from sitting here.

Then we have discussions about, well, here is our budget, these are our limitations, these are the policy questions. Here is the legality, here are some of the constitutional constraints that we have, and your needs are this. So how do we shape this together so that we can come forward with a proposal that meets the needs of my constituents or anyone's constituents, stays within the framework of our budget and the Constitution and moves this Nation forward to our destiny?

Those are the questions that we are obligated to struggle to resolve here in this Congress, and we have developed a process by which we have many, many public hearings. We bring forward in the public hearings witnesses that testify into the record under oath, so that we can rely on the accuracy and the honesty and the veracity of their statements. That is some of the information.

A lot of the other government reports and other data that come from nongovernmental organizations and individual citizens and the letters that come every day and the e-mails that come every day and the phone calls that come every day, we put that all together. We sort that. We synthesize that. We go to the subcommittee or the full committee for the hearings. We ask the appropriate questions so that we can probe into these issues to represent our constituents.

Then, after the hearing process is done, then a bill comes forward, a bill comes out through the subcommittee process for a markup, and that markup always must allow legitimate germane amendments in order. It is not just a theory; it is a tried and true proven fact. The reason for amendments is to improve the legislation.

The first term that you run into, as any, one step forward, to become a legislator, whatever level of government

might be, whatever political subdivision it might be, is the law of unintended consequences. That is what happens when any of us, most often in our youthful idealism, come charging into the legislative process. We say, I have a law I want to pass, this is what I want it to be.

You write that down, put it into the right format, and you submit that into the process, and immediately the wake-up call is, well, what about this implication and that? What happens when you unfund this side of it. What happens when you don't have law enforcement on the other side? What happens when you punish more people than you were trying to help because you didn't think of all the aspects?

Well, that is the law of unintended consequences. That is what happens when you have a legislative process that circumvents or usurps this tried and true, more than two-centuries-old process that we have here in the United States Congress.

This constitutional Republic cannot sustain itself if we do not have a regular order of doing business that guarantees the rights of each Member to be heard, for each Member to bring their judgment to the hearing process, to probe the witnesses, to put into the record the background that they want to gather from the witnesses they choose, as well, to offer amendments at committee and subcommittee level and at the level up at the Rules Committee.

This is all a process to perfect legislation, to reduce, and, ideally, eliminate that Murphy's Law of unintended consequences, and also to improve the quality of the legislation so that it is far more effective than it may be as if just one person with their limited vision, their limited knowledge, limited background and limited understanding could bring to this legislative body.

I have to point out, the system and the process that I have described here is anything, but what has been taking place in this 110th Congress. This is the 110th Congress that was promised to be the most open and the term, I believe, was "democratic Congress in history." The leadership was going to set up a system that had rules, that allowed for amendments at every level, that allowed for open dialogue, that allowed for open hearings. In fact, the Speaker of the House is clearly on record time after time after time, making those kinds of pledges.

Well, I will point out that has not been the case. I will get back to the facts of that here in a moment.

What I would like to do is illustrate this poster that tells us what has been going on here in this new 110th Congress, which began on the 4th day of January when we organized and first brought forth the rules.

The opinion that this Congress had to live by was the promise, campaign promise, and they won the majority. In the first 100 hours, six pieces of legislation shall pass; we will do this for the American people, was the argument.

So we have two different ways of keeping time. The American people would wonder, well, the first 100 hours, if that promise of doing these six pieces of legislation in the first 100 hours is so sacrosanct that you have to suspend, maybe temporarily, and maybe not temporarily, the regular order that we call it here. This really is the entire process that I have described: the suspension of hearings, subcommittee meetings, full committee meetings, rules, consideration of amendments, and amendments being allowed on the floor, being debated, so the American people can understand what this body is doing.

That entire process has been suspended, and it has been suspended because the argument was made by the incoming leadership that those six pieces of legislation couldn't be passed within the first 100 hours if we went to a regular order and allowed any Member to have any voice in trying to improve any piece of that legislation.

So here we are this first 100 hours. I thought, well, all right, if the promise of 100 hours is sacrosanct, and it is so important that this legislation that has never been done in the history of America has to be done in the first 100 hours, if that is so important, then we ought to know at least what the criteria are for turning it on and turning it off. We ought to be able to know when that 100 hours is over, when we will go back to regular order, and the people who have campaigned and been elected to legitimately represent their 600,000 people will have a choice in this Congress to improve and perfect legislation.

So I started the clock, and I have kept this clock from the beginning. You know, there are only two legitimate ways to count time. One of them would be the 110th Congress began when we gavelled in here on the 4th day of January. You could just let the clock run all through the day, the night, the next day, and it will just essentially tick when we get sine die, gavel out of the 110th Congress roughly 2 years from now.

I don't think that is necessarily a fair and legitimate way, that keeping track of 100 hours is sacrosanct. We may give them a little bit different way to do that. Let us make it the legitimate way of keeping time, was my proposal.

Fairly simply, when the gavel comes in here in the morning, and we gavel in to start our day, and we start with the prayer and the pledge, that is the beginning of this congressional day. When we finish these Special Orders and there is a motion to adjourn, and you adjourn this Chamber, click, with the stopwatch, time is over, that is how many hours it is for that day.

Well, the Pelosi clock has a different way of keeping time. But just by comparison—and first I want to point out that those six pieces of legislation were passed not in the form I thought they were going to come to the floor in,

probably not the form that the American people thought that they would be passed in, but a form that had those six titles of that legislation that came to this floor, passed within the first real 100 hours of legislation.

□ 1800

And that ended on a Friday at 11:44 a.m. when the real clock ticked over at 100 hours. But the Pelosi clock which was on the Web page, that was put up so that they would have all the time that they wanted to have to get this legislation done, and we just took a little picture of that. That clock went to 42 hours and 25 minutes. That is how much, Mr. Speaker, had been expired on the Pelosi clock.

So one can only presume that this clock was a slow clock. The Pelosi office refuses to grant us any criteria as to when they turn their clock on and when they turn their clock off. The only thing we know is this clock was not going to run up to 100 hours until those six pieces of legislation were passed. So it is kind of a backwards figuring thing, but now it has been pulled down from the Web site of the Speaker, but that was the end of the game.

So when that 100 hours is over, the request was give us some time, give us some patience. We need to have the suspension of our rules. We are going to have to go to this draconian process that no Member has a voice in anything until these six pieces of legislation are passed. We are going to have to go to that to get our six pieces passed in the first 100 hours.

Well, the six pieces are passed. The 100 hours now, it is about 148-point-something actually, where it is going to be 149 when we finish this up. That is how many hours that we have invested here in this 110th Congress. But we are still under draconian martial law in this Congress.

We are bringing to the floor of the United States Congress tomorrow, and I don't mean me, but the leadership on the other side of the aisle is bringing an omnibus spending bill. That omnibus spending bill is coming to the floor, \$463 billion, without a single hearing, without a single subcommittee or committee meeting, without a markup, without an amendment; and we are going to spend \$463 billion out of here tomorrow on 30 minutes of debate from the dissenting side and 30 minutes of debate from the proponents' side, and the taxpayers are going to take the hit.

And I feel sorry, Mr. Speaker, for the American people. And I feel really sorry for the freshmen that came to this Congress, especially the large class of Democrats who no doubt said, I will be your voice in Congress. I promise you that you haven't been represented well. I will be effective. When I go there, I will be heard. I am going to delve into all of this policy and I will be there. You will see that come out in the language. It will go into law.

But to this day come to the floor and I will yield to anyone, any freshman es-

pecially, who could come down here and say, I went to a hearing and I offered an amendment in a subcommittee markup or in a full committee or I am going to be allowed to offer an amendment here on the floor and it is going to improve some legislation.

I think there was a freshman that ran some legislation here last week. I just don't know if she ever got to see the language before she came to the floor to be the sitting duck for the criticism, for the narrow debate that we had.

That is the tone of where we are. The American people are being cheated by this process. And I will be very happy to yield to the man who is a judge of that, Judge LOUIE GOHMERT from Texas.

Mr. GOHMERT. Mr. Speaker, I thank the gentleman from Iowa, my good friend (Mr. KING), for yielding.

As may be known, I was a history major in college. I have studied a great deal of government history, different countries; and I would ask if the gentleman from Iowa might engage me in a colloquy to answer one question, if you are aware of the difference between the process that the former Soviet Union arrived at in order to appropriate money and the process that has been used to appropriate \$463 billion tomorrow.

Mr. KING of Iowa. I am going to have to guess. I am going to turn this back to you for a definitive answer. My speculation would be, Mr. GOHMERT, that Duma probably didn't see it and maybe we get to see it for a pro forma vote, or am I wrong?

Mr. GOHMERT. Well, obviously, none of us have seen it. It got posted and we have got people trying to make sense of the 140-or-so pages. But the main difference that I can tell, and this is just my opinion, but the main difference that I can tell is that the Soviets never promised to have an open, fair, transparent democratic process to appropriate money. That is the big difference I can see. Because that is what we have here.

Mr. KING of Iowa. Reclaiming my time, I thank the gentleman from Texas for that insightful input. In other words, he is so gentle and subtle when he said the Soviets kept their promise because they didn't make one.

And the thing that I am addressing here, Mr. Speaker, is that there were a lot of promises made, and the integrity in this system, that is what you have to function in this body. We have to give our word and we have got to keep our word. And when we do that, this system functions. When you give your word and you don't keep your word, the system breaks down. And the people that pay the price for that are the American people.

So I would submit that all of that whole series of promises were subordinated to the 100 hours' promise, which turned out to be 42 hours and 25 minutes. Fine. I am going to grant that that stuff got done in 100 real hours.

Actually, it got done just underneath the 100 real hours. But the clock has ticked over by anybody's measure. It is over 100 hours. And there was never a justification for it anyway. I mean, I want to be on record in this CONGRESSIONAL RECORD, Mr. Speaker. There is not a justification for expediting the process at the expense of the voice of the people.

But that is what has been done. Well, it has been done at least under the promise that when the 100 hours is up and the six pieces of legislation are passed, we are going to then try to keep our promise on the most open Congress in history. As we know, you cannot expedite legislation very well in the process that we have now and be able to improve it.

So what they have done is they have brought this 150-or-more-page bill that was just first available last night at 11:03 p.m. on the Internet. Some of our staff had actually quit work by that time and gone home to bed; so some of them didn't find that until this morning. But of those 150 or 160 pages, in there is 463-point-something billion dollars of spending and it has changed a fair amount of line items, and what it does is it increases the spending from the Republican plan by \$7 billion, Mr. Speaker. Seven billion. And it changes the resources that are committed. They go back to the districts in some places.

We even have some locations, in our short little time of looking at this, where we believe that because they have underfunded and this budget has gone on now for almost half a year that there will be some agencies that may well have to pay back because of this omnibus spending bill. And they will come, Mr. Speaker, to the floor tomorrow, and they will say, Well, this is a CR. This is a continuing resolution. And a continuing resolution being that you pass a resolution that says we are going to keep funding government at the current level and all of its line item appropriations until such time as we can get the Senate to act.

And I have to say that the Senate needs to act. We passed nearly every single one of the appropriation bills last year, sent them over to the Senate, where they sat. And so that is one of the reasons that we end up with this ugly monstrosity of an omnibus spending bill.

But it would be one thing to pass a continuing resolution and say that stuff has been through the subcommittee, committee, the markup process, been to the floor, at Appropriations. We had worked our will on all of that. It is a different Congress, but we had worked our will in the 109th Congress. It would be one thing to pass a continuing resolution to meet those standards because that has been due diligence at least. It is quite another to take all of these dollars, roll them all up, package them up, rewrite them, and then throw them out here on the narrowest of notice, \$463 billion, and

then say, well, there won't be any input and there won't be any amendments and it is going to be strictly an up-or-down vote, and you get 30 minutes to tell us why it is a bad idea and try to convince our people whose arms are twisted up behind their shoulder blades that they are going to have to vote for it.

And there they sit with a large class of freshmen. Some of them served in State legislatures. In fact, I would speculate that most of them have. And I would also speculate that not a single one of them has experienced a process that was so closed in its loop, that was so narrow in its scope, that was so draconian that the collective wisdom of 435 Members of Congress and all the staff and all the constituents and all the media input all goes for naught.

I would be very happy to yield to the gentleman from Georgia, and I will pick up whenever I need to. Thank you, Mr. GINGREY.

Mr. GINGREY. Mr. Speaker, I want to thank the gentleman from Iowa for leading this Iowa Special Order, particularly in regard to what is going to be on the floor of this body tomorrow, Mr. Speaker, and that is this \$463 billion monstrosity that, as the gentleman has already pointed out, gives no opportunity for Members of this body to have any input.

We heard all this rhetoric, as we started the 110th, about the need to pass those six per six bumper sticker issues that the Democratic majority had tested, had poll tested, that drew 75, 80 percent approval rating; so that was their justification of closing down the process and bundling all of those bills, H.R. 1 through 6, in a single rule, a single closed rule, and no opportunity for even Members on their own side of the aisle, the Democratic majority, the new Members of the Democratic majority, to have a voice and represent their constituents. I think it is appalling, Mr. Speaker, that they would do that.

But, also, as we railed against that process in the first 2 weeks, we had the assurance over and over again of the leadership of the Democratic majority that once they got through with their 100 hours, and as Representative KING has pointed out, we are up to 147 hours now, where is the fairness that they promised? Where is the open process? Here this \$463 billion so-called CR or, in layman's terms, continuing resolution, gets posted on the Internet at 11 o'clock last night. I don't think that Members of this body were sitting up holding their breath every 15 minutes checking on the Internet to see if Mr. OBEY had finally posted the bill so that Members could see it and look at it and analyze it, study it, and hopefully come forward through the Rules Committee. Certainly there was no committee process in what they have done here.

And I do not know, maybe my colleagues can answer this question in just a minute, but I know the Rules Committee did meet today, and I am

not going to hold my breath counting the number of amendments that were made in order.

But this is unconscionable, Mr. Speaker. First of all, it is not a CR. A CR would be a continuing resolution to continue to fund the government at last year's level. In fact, that would indeed save money. That would save the taxpayers money. This is no CR. A CR is three or four pages long. In fact, the last time we had a CR to cover an entire fiscal year was under the Democratic leadership back in 1987 and 1988. I don't know how long those bills were, but I do not think they were 123 pages, as this monstrosity is, Mr. Speaker.

I have heard this thing called a lot of terms other than a CR. I have heard some refer to it as a "CRomnibus." To me, and maybe my colleagues can understand this better because "CRomnibus" is a little difficult to decipher, it looks like a hooker dressed up like a nun.

□ 1815

Now, I hope everybody can understand what I am talking about there. This is an appalling embarrassment to this body. And the Democratic majority talked about, in December and leading up to the election before that, how, give them the opportunity to lead this body and they will absolutely eliminate earmarks, totally eliminate earmarks in finishing up the fiscal 2007 and the fiscal 2008 budget.

This is a giant earmark, or if you want to call it an "Obeymark." There are so many things in here. And, of course, you know we have had since about 9 o'clock this morning when people came to work, maybe a little earlier for some of us insomniacs, to study this bill. And the devil is, of course, in the details.

Mr. KING of Iowa. Mr. Speaker how much time do I have left?

The SPEAKER pro tempore (Mr. COHEN). Approximately 30 minutes.

Mr. GINGREY. I thank the gentleman from Iowa. I know he is limited in time, and I know our colleague from Florida is here, as well, and possibly other Members will be coming to weigh in on this.

But this is appalling, Mr. Speaker and my colleagues. I mean, the Democratic majority has talked about opening up this process and not doing as we did, as they say we did; but dawn of a new day, to start a new open process of bipartisanship. Whether they were truthful in that or not, I think if you say that, if you make that pledge as you ask people to vote or, in many instances, replace somebody on our side of the aisle, then you need to fulfill that contract.

That indeed was a pledge that has already been broken. And it does not have to be that way. It absolutely does not have to be that way.

So I thank the gentleman for allowing me to weigh in on this issue. With that, I will turn it back over to Mr. KING and continue this dialogue with my colleagues. Thank you.

Mr. KING of Iowa. I thank the esteemed gentleman from Georgia, Dr. PHIL, for his input. I did not mean to imply that I was short of time to deal with it. So if you feel the urge a little later as well, Mr. GINGREY, I am open to whatever dialogue you may have to bring to this floor. I appreciate that input.

We are here to represent the American people. We each represent roughly 600,000, for each of us 435 Members here in the United States Congress. There is not anybody in this Congress that would concede a point that there is anybody's constituents that deserve more representation than theirs.

I will just say it this way. There are no one's constituents in America that deserve more representation than my constituents. And, conversely, there are no constituents out there in America that deserve less. That means you have got to have an open process that provides for open dialogue, that provides for opportunities along the way to perfect legislation to avoid unintended consequences and to improve legislation to perfection if we possibly can.

That is the process that is absolutely missing. It has been totally usurped. It has been a rug jerked out from underneath this entire Congress. And the promise of an open process is a broken promise. The 100 hours are up, and no one knows that better than Mr. FEENEY from Florida. I yield to Mr. FEENEY.

Mr. FEENEY. Mr. Speaker, I am grateful to my friend from Iowa and to my good friend from Georgia. And I, too, just got off the last campaign cycle, and I watched the national newspapers. I saw it in the State of Florida, where over and over again I heard that there was a new, reformed Democratic Party, people that believed very differently than the Republicans in charge here in Washington, that we are going to reform the process, make it fairer and more transparent. I heard that we were going to be under new management.

Now I find it a little funny, because as I look at the chairmen of the committees, we have got one chairman that has been here for 56 years in Congress. We have got chairmen that have been here for 30 years in Congress, for 40 years that have been Chairmen before. So really it is *deja vu* in terms of who the leadership is of the important committees here in Congress. There is no change.

Americans need to know they are going to go back to the Jimmy Carter high-tax, high-regulation, high-speed, high-unemployment, high-inflation rates under their so-called new leadership because it is the same old, same old.

But I was really intent as I was working in my office, studying some of the crazy things that are coming up in our committee process this week, Mr. KING. And I heard you offer to the new members of the Democratic majority that say, We are going to be very dif-

ferent, we are going to be transparent, we are not going to be liberal Democrats, we are going to maintain a threshold on taxes.

And yet in the very first 2 weeks, what we here have passed without one amendment allowed, without one committee hearing allowed, without any debate other than maybe an hour on this floor allowed, with the results pre-ordained by a maestro—and we have to give her credit; the Speaker has been a wonderful leader in terms of making the trains run on time, which we know that people that do not engage in democratic processes, but engage in totalitarian processes are successfully able to do.

The first thing that the new majority, conservatives supposedly or moderates, do is pass PAYGO, which makes it easier to pass tax increases. The next thing they do is pass a minimum wage bill that exempts American Samoa. And they pass an energy bill that actually increases taxes at the pump ultimately on the people in my district that buy gas.

And, of course, they also gave as part of the Committee of the Whole here, a vote to the delegate from American Samoa who represents, he is a friend of mine, he is a great guy, but he represents approximately 60,000 people who are not a State which the Constitution requires in order for you to have an equal vote here on the floor.

Now, I would tell my friend from Iowa that I have football stadiums not far from me that hold more than 60,000 people in them. The football stadiums are not represented by a delegate or a vote in Congress. And maybe every football stadium with 60,000 or more votes under their new premise ought to be included.

Mr. KING of Iowa. Mr. Speaker, just an inquiry then. What are the odds of the people within your stadiums in Florida with 60,000 or more people in them, what are the odds of them paying Federal taxes compared to that of American Samoa?

Mr. FEENEY. Mr. Speaker, my guess is about 80 percent of them are either payers of the income tax, the Medicare tax, the Social Security tax, or some Federal tax.

And with respect to American Samoa, I admire them. I actually think that they are fortunate. I am envious. They do not pay Federal income taxes, as the gentleman wisely pointed out. But they have a vote here, just like my football stadiums with 60,000 people do not have; American Samoans who do not pay Federal taxes on the Federal income code do pay taxes.

Now, I will tell my two great friends, I hope that I do not upset them here, but the States of Georgia and Iowa are two of my favorite States in the Union. But I happen to be very jealous; and believe that I was the speaker of the house of the greatest State in the country, the State of Florida.

And I will have to tell you that passing budgets is a very difficult deal,

passing appropriations bills, it is hard. I like to compare every budget that I have dealt with at the Federal level or the State level as like a Clint Eastwood movie; it is part of the good, part the bad, and part the ugly. The only thing that justifies a budget is the process.

Where every elected member at the committee level, for all of the different Appropriations Committees gets to fight for his or her priorities, where on the House floor you allow amendments, you allow the entire body to sit down and figure out collectively. And democracy is an ugly process, but the only thing that justifies the outcome of budgets, which are like a Clint Eastwood movie, *The Good the Bad and the Ugly*, is the process itself.

The process that we witnessed today in the Rules Committee, and my friend from Georgia alluded to the fact that the Rules Committee apparently has said that not one single amendment to this omnibus package that was passed, not by a committee, but was passed by one Member, this is the Pelosi omnibus package. Nobody else had any control or say in it. Not one Member had a chance.

Mr. GINGREY. Mr. Speaker, just a quick point. In these appropriation bills that come to the floor under regular order, each one of the 13 separate appropriations bills came to the floor with an open rule, an open process.

Mr. FEENEY. Mr. Speaker, traditionally that has always been true. This has never happened in modern history that any historian of the House can recollect.

But let me tell you exactly what has happened. I will have to admit, one of the very few things that I have liked in the first 60 days here is that the Democrats actually pledged that we are not going to have earmarks.

Now, they have pledged a lot of things. They violated virtually every promise that they made. But the earmark pledge is something I really like. I was one of the outspoken critics, even of Republican earmarks like the Bridge to Nowhere. But I have to tell you, you have got to give credit where credit is due, when they will stand up and say, we are not going to have earmarks. I thought, you know what, I can live by that policy if every other Member of the House can, or we are going to have transparent earmarks; everybody has to be honest about what they are spending the money on.

I want to read to you the definition from *The Citizens Against Government Waste*. An earmark is any proposal that does any one of the following seven things; if you do one of them, you are an earmark. This is important, because we are facing tomorrow the largest earmark in the history of the world under this definition that everybody uses, if you do any one of these things.

If you are requested by only one Chamber of Congress. This bill tomorrow is only going to be requested by

the U.S. House, not the Senate. If you are not specifically authorized by committees in the House. This bill has not been authorized, not one thing in it has been authorized by any committee.

If there are things in the bill that are not competitively awarded. Nothing in this bill requires any competitive awards for the new spending.

Number four, if it is not requested by the President. There are billions of dollars of spending in this bill that have not been even seen, let alone requested or reviewed by the President.

Number five, if it exceeds the President's budget request or the previous year's funding. We have issues here that have never been greater than in this bill that we have not seen because it is the Pelosi omnibus package that nobody had a chance to see or vote on.

Number six—remember, any one of those things makes it an earmark; this qualifies for all five so far—if it is not the subject of congressional hearings. Well, the funny thing is the Speaker and the Democratic leadership would not let us have a hearing on any of this spending. \$463 billion, we have not had one minute of hearings, 1 minute of review.

And finally, number seven, if some of the things in the bill serve only a local or special interest. Now, I will leave you with this, Mr. KING, because I really admire the points you have made. Every taxpayer is paying the price of this horrible process. It is not just about process. This is a \$463 billion earmark, not because it violates one of the rules, but all seven rules.

And I would finish with this. I was really offended when Republicans were in charge of this Chamber and we had a \$250 million earmark that I referred to as the Bridge to Nowhere. The earmark tomorrow is 2,000 times greater than the Bridge to Nowhere. This is the Congress that supposedly was going to be about reform, ending earmarks, and have transparency. There is not one pledge that has been made that will not be broken tomorrow if this bill passes.

With that, I thank my friend.

Mr. KING of Iowa. Thank you, Mr. FEENEY, for adding the clarity to this issue and putting the numbers down and for also listing into the CONGRESSIONAL RECORD the seven points, any one of which qualifies as an earmark, all of which will be breaking the promise tomorrow, and 2,000 times larger than that large earmark that 80-some percent of America understands as the Bridge to Nowhere.

I would point out that there is a way to address this. And I have not been necessarily a critic of well-managed earmarks, as long as they are within the budget and as long as it is a Member initiative that actually is researched and debated, and it is open and it is public, there is an opportunity to go in and strike it out.

But the problem with the earmarks has been, they show up after it is too late, and the bill comes to the floor,

and there is not time to read the bill, and not time to prepare amendments; or they come up in a conference, and then here comes the conference report with a whole stack of earmarks in there that are agreed to by the conference committee, but not aware, not made aware to the rest of the Members, and no access to it.

So I looked at this. And I thought, how can we fix this? And we have done some things with earmarks. But last year, in the middle of this, about this time a year ago, I began grinding and churning my way through and created an act called the Cut Act. And I have drafted and filed that information; I believe that both gentlemen here on the floor are cosponsors of that Cut Act.

But what that Act does, Mr. Speaker, is it recognizes that there will be legislation passed off the floor of this Congress, and that Members will not have an opportunity to act on that legislation, on that appropriation, and that there will be earmarks in there that are either identified or may be not identified, but maybe they are objectionable to the American people.

And it recognizes, Mr. Speaker, that this is an instantaneous Information Age if we give access on the Internet to the people in this country, all of whom have access to the Internet in one form or another.

We have not done that. We need to put sunlight on everything that we do. We need to let them have real-time bloggers be able to access all of the bills that are filed, all of the amendments that are filed. They need to be able to track this whole process. But then once we get that system set up and we provide sunlight, the Cut Act allows, recognizes that those appropriations bills will find their way over to the President's desk, and he will sign them to keep this government running.

□ 1830

And this is that there will be a whole collection of objectionable, irresponsible spending to projects that comes to mind. The bridge was referenced by Mr. FEENEY. The Cowgirl Hall of Fame strikes me as something that could be privately funded if we need one. There are a number of others out there that are objectionable earmarks. But if we pass the CUT Act, and the President signs the appropriation bill and the bloggers light up and they start sending this in and it becomes a national issue, or even just a tip that goes to a certain Member of Congress, like Mr. GINGREY for example, we could, under the CUT Act, once each quarter, four times a year, provide under the rule so that a bill would be brought to the floor that would allow for the rescission of any one of those individual line items.

So the Shell bill might come to the floor. Any Member would bring an amendment that would say I want to eliminate the funding for the Cowgirl

Hall of Fame. We put it up here on the board. We vote it up or down. We do that to every single line item if we chose to do that, and it might take a long time to debate that first bill.

Mr. GINGREY. If the gentleman would yield.

Mr. KING of Iowa. I yield to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. And I hope I won't offend the gentleman, but just as he is pointing out, these earmarks are there but they are selected, in this instance, by one person. And as you start enumerating a few, like the ones that you have already mentioned, I have got to also say that the tropical rainforest in Iowa is back at \$44.6 million. Now, I don't know how the gentleman feels about that one, but that is the whole point here. A CR is supposed to save money. It is literally supposed to save the taxpayers money, because instead of increasing the amount of spending at a rate of inflation or consumer price index, you go back to the last year and you just continue that process.

So, in fact, if we had done that, if we had this year-long CR, we are talking about maybe saving \$6.1 billion. But, no, what the Democratic leadership of a committee of one or two decides to do is under that budget cap authority to plus this thing all the way up from 2006 levels to the budget cap, and that is an additional \$6.11 billion burden on the taxpayer.

As I mentioned earlier, I won't repeat the phrase I used in referencing this bill. But people are going to call it all kind of things in addition to CROmnibus. But really it is a CR on steroids. Maybe we should call it a steroid.

And with that I will turn it back over to the gentleman from Iowa for the continuation of this discussion.

Mr. KING of Iowa. Well, again I thank the gentleman from Georgia (Mr. GINGREY) for reminding me about some of the earmarks that we have out there. And the list is long. And my point on this is the American people can make that list a lot longer. And at least in theory, any piece of appropriation that comes across this floor that makes it through the process should have the majority support of the House of Representatives. It ought to have the majority support of the United States Senate. We ought to agree on that number, and it should go to the President for his signature. That is the process that is structured within our constitution. That is the process as the American people envision it. That is the process that we are struggling to attain here, that will not be, even presumed to be happening tomorrow when this—not a CR, but this omnibus spending bill which is a catch-all for every single appropriation that goes into discretionary spending for the rest of—until the first day of October is when this is over.

And, again, I am so sorry for the freshmen who come here that right now don't know any better, and they



aren't even outraged. They have been led, taken by the hand and led down the primrose path. And I have offered them time and again, come down here. I would be happy to yield. Tell me what legislation you have had a voice in. What have you made a difference in? Did you make the promise to represent your constituents or didn't you? Yes, you did. Obviously everybody makes that promise. So didn't you have some high and shining ideals? When you see the flag go up over the Capitol doesn't that make your heart beat a little faster? Don't you get that feeling in your stomach and that swelling sense of pride when you look up at the dome and that you are here to represent the American people of the United States Congress?

But my news to you is you are not representing them. You are not being allowed to represent them. You aren't even a voice. You haven't been heard. Your input is not there. The expertise that you bring with your background, whatever it might be, has no value in this place. It is just a handful of people in the cabal that decide what is coming down here, the same ones that make the promise that there is going to be that opportunity, freshman, for you to be able to have that kind of input.

So, Mr. Speaker, I illustrate that and the absence of rebuttal here on this floor is confirmation of my statement of my position and that of Mr. GINGREY and that of Mr. FEENEY here this afternoon. The absence of rebuttal speaks loudly and it echoes in my ears.

But on the earmark part of this, that is why I drafted the CUT Act, so that this Congress could be able to eliminate any line item that did not have the majority support of the House and the Senate and the President, and it recognizes that the President would sign an appropriations bill and that money would get off his desk and go to the agencies, wherever it might be, and it takes them sometimes the whole year to spend the last dollar. And at any point where we rescinded that funding, it would go to reduce the national debt automatically, and then that fund would no longer be available to whatever entity was about to receive it.

That is one way that gives Congress, the CUT Act gives Congress a line item veto. And that is the piece of policy that we need to get resolved here in this Congress, along with many others. But the open process, and this is going to be and has been so far, Mr. Speaker, a very closed process, a process so closed that I will point out that, not just a matter of information, I mean, I have sent my staff down to the majority leader's office to try to find out what the criteria was for the clock, or what is the criteria for providing and offering amendments; when is this draconian martial-law going to be lifted, this open process that is promised.

And I want to point out, the gentleman from Tennessee (Mr. COOPER) was doing a national television pro-

gram here on the news, the beginning of the 110th Congress, a couple of days before we gavelled in. And they said to him, but you are going to suspend all the rules and you are going to drive all this legislation through without input from Members on either side. And he got kind of a funny look on his face and he said, well, just please, will you give us a little patience. Have some patience and let us get through this process. And once we get these six bills passed, you are going to see the most open, democratic Congress in history.

Mr. COOPER, I am waiting for you, too. I would be very happy to yield.

That is not the case today. The hundred hours is clearly up. The process is not open, and the American people are not being heard. They didn't decide they were going to anoint some people with a royalty position, whether they allege that they are the most powerful woman in the world or not. This is a government that rules by the consent of the people. And the people did not give their consent to a process that is not an open process, a process that muzzles 99 percent of the Members in this Congress.

And clearly, they are not here to speak up because they know they don't have a voice and they don't have an argument. And so we are going to continue to push on this process. We are going to go before the Rules Committee. I took an amendment up before the Rules Committee, and there were a number of us that did. We all know the results of that, the charade in the Rules Committee, which is, bring your amendment up. You can offer your amendment up here, but before you come up here, we are going to tell you we are not going to accept a single one, even if it is some kind of revelation. If it is an epiphany that just fixes the whole thing, we are not going to consider it because the meat cleaver has come down.

So we are going through a charade. No amendments, but come here and argue them anyway if you want to and we will sit through this and we will put one or two people up there and we will rotate and we will get through this process. And then we will say, why are you complaining? We had a rules process. You just didn't have any amendments with any merit. Oh, really? No amendments with any merit is the same result as no input into the process, Mr. Speaker. This government cannot function with that.

And I will also point out that the House of Representatives is where all the appropriations has to start. That is what the Constitution says and that is what we need to follow. But this bill, this omnibus bill, is going to go over to the Senate, over to those 100 Senators over there, and you can bet that they are going to be offering amendments and they are going to be improving this omnibus spending bill, and they are going to be fixing this all the way through their process. So their voice will be heard. And then we will get an

amended omnibus bill back here again, and I would submit this question, will then, Mr. Speaker, will it come to the floor again with no opportunity for amendments again? And if that is the case, why have we ceded the improvement process to the United States Senate?

We are the hot cup of coffee here, and they are the saucer to cool it in. We are supposed to be the quick reaction force that has the elections every 2 years, so that vigor that comes with a new freshman class and that risk of being up for re-election every 2 years, it keeps us tuned in with our fingers on the pulse of the American people who can be heard in the legislative process.

The hot cup of coffee, the quick reaction force, the storm troops that are going to come in and fix things quickly, especially in the change-over of a majority, Mr. Speaker, is just what our Founding Fathers envisioned when they drafted our Constitution and set up this miraculous system of government that we have. But the leadership in this House of Representatives has handed over the amendment process to the United States Senate which they have a legitimate claim to their version of it, we also have a legitimate claim to ours and a constitutional duty to do so that has been usurped by this decision to make a promise and have that promise of 100 hours be sacrosanct and then like that draconian approach so much of not being challenged that they go ahead and shut the clock off at 42 hours and 25 minutes.

And we could go on in perpetuity until the American people revolt at the polls. That is what is coming. You are going to see mistake after mistake after mistake. One of those examples would be the Minimum Wage Act, American Samoa, and being exempted from the Minimum Wage Act of all of The states and territories of the United States of America, one place on the map with 60,000 people, we find out after the fact, after the minimum wage bill is passed, is exempted from the minimum wage. Well, if you can legislate wages to go up and help people, which is the argument that came out of this side of the aisle continually, Mr. Speaker, then why can't you do so in American Samoa? What is wrong with them that they don't deserve a raise like everybody else got in America that was working for a minimum wage? And the answer that I get back is, well, we had to do that because the tuna market there won't sustain this. The international competition won't sustain higher wages, so we would lose that to Asia or maybe South American companies that can produce that tuna cheaper than they can in the American Samoa.

Well, that is called competition. And how is it that Democrats can understand the effect of competition and the deleterious effect of minimum wage on a small business, large business in a small microcosm of a location like American Samoa? They can understand

it when it is a microcosm, but they can't understand it when it is 300 million people in a macrocosm. It is the same principle that applies, Mr. Speaker. But that is a fatal flaw of this approach of a closed process rather than an open process. That is what happens, Mr. Speaker, when we don't allow for amendments. And then things start to smell fishy.

What was the reason?

I would be happy to yield to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. I thank the gentleman for yielding. I just wanted to point out, and I am sure the gentleman would agree with me, that there are things in this so-called CR that we approve of. As I look through the list, and of course, I have got a lot more looking to do, but as I see things like an increase in Pell Grants to \$260 up to \$4310, I think that is good. And additional funding for the Head Start program. And I could go on and on and on. There are a number of things here that I see that I could vote in favor of, but there are a number that I would be opposed to.

And just as the gentleman points out, especially for the new Members on both sides of the aisle to not have an opportunity to go through regular order and a committee markup process, go to the Rules Committee with their amendments, I am talking now about majority Member amendments, things that they have heard about, as you pointed out, Mr. KING, from their constituents, as they campaigned for the very first time for Congress and the excitement of that, and you pointed that out as well. It is just sad. It really is sad. And if it wasn't so sad, it would be almost laughable.

So I just want to say that, again, it is not that, as I register tomorrow my vote against this, it is unfortunate because there are some things in here that I would be in favor of. But I am going to be voting against the usurp of power and putting the process under the jackboot of the new majority.

Mr. KING of Iowa. I thank the gentleman from Georgia (Mr. GINGREY). And I will say that my sympathy and heart goes out to especially freshmen Members of Congress when they go back home to their town hall meetings, and I would just ask you, out there, and Mr. Speaker, I convey that message to the people in America, that when these freshman especially show up for their first town hall meeting, I would say to the citizens, stand up and ask them, what has been your input? What has been your impact? How have you kept your promise so far? What do you think of the process? What has been your involvement? Have you produced any amendments? Have you done anything to impact this process whatsoever? And their answer is going to be "no." You need to challenge them, Mr. Speaker, to come back here and open up this process.

□ 1845

#### HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes.

Mr. PALLONE. Mr. Speaker, I am here tonight to talk about the President's health plan that he discussed or brought forth in the State of the Union address last week, but I couldn't help after listening to some of my colleagues on the other side of the aisle talk about the continuing resolution that is going to come to the floor tomorrow to just spend one minute before I get into my health care Special Order just mentioning why I think what they said is so wrong.

I of course have been in Congress for a number of years now, and last year which was the last Republican majority Congress that we have had, I guess, or that we are going to have, the Republican leadership passed a budget that was so unrealistic that they were unable to complete work on nine of the 11 annual appropriation bills. So I think everyone needs to understand, Mr. Speaker, that whatever the Democrats do tomorrow is simply cleaning up the mess that the Republican leadership left us. They didn't do their job; they didn't do their work.

Most people would say that the main purpose of the Congress is to pass a budget and pass the appropriations bills so that the government can continue to operate, and they simply did not do that. They left here in December with only two of the 11 appropriations bills. Those dealing with defense and the military were passed. The other nine were just left, and they passed their own CR, or continuing resolution, to take us through I guess February 15, and basically said, okay, we are getting out of town and we leave this mess to the Democrats. So back in December, Senator BYRD and Congressman OBEY announced a plan to wrap up the bills in a joint funding resolution, and that CR is coming to the floor tomorrow.

But I will stress, and I don't know how many times I can keep saying the same thing: there are no earmarks in that continuing resolution. None whatsoever. In fact, there is even language in the continuing resolution, and I will reference in title I, section 12 that says: "Any language specifying an earmark in the committee report or statement of managers accompanying the appropriations act for this fiscal year or for the last fiscal year shall have no legal effect with respect to funds appropriated by this division."

So essentially what that says is: we are not allowing any earmarks. But even if one of the bills in the committee report or in the statement of managers, which are not binding under the law, even if one of those suggests an earmark, that the Federal agency responsible for administering that pro-

gram has no obligation under the law to implement it.

I don't know how more emphatic we could be in saying no earmarks, no suggestions of earmarks. Don't pay any attention to anybody who tries to suggest an earmark. That is essentially what this language says.

So this whole effort to say that somehow there are earmarks in this is just fabrication. And beyond that, the fact of the matter is that we have no choice but to adopt this continuing resolution because they left us this mess and we have to move on to the next budget year. So I just wanted to point that out, and then I would like to move on to the real issue that I came here tonight to discuss, which is the President's health insurance proposal.

I was glad to see that in his State of the Union address that the President prioritized health care, and he said that he wanted to solve the problems of the current system both in dealing with the large number of uninsured and also with the fact that costs, the costs of the health care system continue to rise. So I will give him credit for prioritizing this issue, because he has not done so in the past.

But I have to be critical and say for the last 6 years President Bush and the Republican Congresses have ignored our Nation's health care problems. Because of that neglect, we have seen health care premiums skyrocket over the last 6 years since he has been President and the number of uninsured increase after we witnessed reductions in the number of uninsured in the late 1990s. When President Clinton was in office in the last couple years of his Presidency, for the first time in a generation the number of uninsured actually went down because of his policies. But ever since President Bush took office, the number of uninsured has gone up. And I just want to give some statistics on the President's record.

Here is the information on the uninsured: when he took office in 2001, there were 41.2 million Americans who were uninsured. Five years later, in 2006, the number had grown to 47 million. That is an increase, Mr. Speaker, of 1 million Americans every year on the President's watch. That is the first and I think most significant statistic.

And then the next poster I wanted to show has a map of the United States. And I think a lot of times when you give numbers, people don't necessarily respond to them or they just sound like a lot of bureaucracy. But forgetting the numbers for the moment, what this map shows is that the number of uninsured now exceeds the cumulative population of 24 States and the District of Columbia that we have outlined in the shade of red or orange here. So that is a lot of uninsured. That is the number of people that live in those 24 States and in the District of Columbia that are now uninsured.

And then the third thing is in terms of the premiums, because again the